

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Odell Parker; Ruth Parker; Larry
Southern; Lucille Southern; and Roy
Southern, individually and on behalf of
others similarly situated in the State of
South Carolina,

Plaintiffs,

-vs-

Asbestos Processing, LLC; Richard H.
Bishoff, PC; Richard H. Bishoff; and
John Deakle,

Defendants.

C.A. No. 0:11-cv-01800-JFA

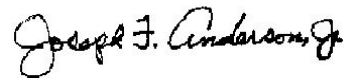
ORDER

The parties are requested to review Professor Jon Romberg’s law review article, *Half a Loaf is Predominant and Superior to None: Class Certification of Particular Issues Under Rule 23(C)(4)(A)*, 2002 UTAH L. REV. 249 (2002). Please come to Thursday’s hearing prepared to discuss suggestions contained in this article.

The Court is particularly interested in Professor Romberg’s suggestion of what he refers to as a “partial class action.” Under this device, the Court could certify common areas in this case for collective resolution. Then, if these issues are resolved adversely to the Plaintiffs, the case is over. If, on the other hand, the Plaintiffs prevail on the class issues, then the court will proceed to try to rest of the case to judgment with the named class representatives. As to the absent class members, “after the partial class action lawsuit has ended, they may file their own individual actions, relying on the preclusive effect arising from the common issues that have already been resolved in the issue class.”

IT IS SO ORDERED.

November 17, 2014
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge